

BOARD OF SUPERVISORS
COUNTY OF YORK
YORKTOWN, VIRGINIA

Ordinance

At a regular meeting of the York County Board of Supervisors held in the Board Room, York Hall, Yorktown, Virginia, on the ____ day of ____, 2000:

Present

Vote

Walter C. Zaremba, Chairman
James S. Burgett, Vice Chairman
Sheila S. Noll
Donald E. Wiggins
Melanie L. Rapp

On motion of _____, which carried ____, the following ordinance was adopted:

AN ORDINANCE TO APPROVE AN APPLICATION TO REZONE APPROXIMATELY 7.5 ACRES FROM IL (LIMITED INDUSTRIAL) TO GB (GENERAL BUSINESS) SUBJECT TO THE CONDITIONS VOLUNTARILY PROFFERED BY THE PROPERTY OWNER

WHEREAS, St. Mark Lutheran Church has submitted Application No. ZM-51-00, which requests to amend the York County Zoning Map by reclassifying 7.5 acres, a total of six (6) parcels, located at 118 Old York Hampton Highway (Route 634), and further identified as Assessor's Parcel No(s). 24-185A, 24-(60)-4, 24-(60)-17, 24-(60)-18, 24-(60)-20, and 24-(60)-21, from IL (Limited Industrial) to GB (General Business), subject to conditions voluntarily proffered by the property owner; and

WHEREAS, said application has been forwarded to the York County Planning Commission in accordance with applicable procedure; and

WHEREAS, the Planning Commission recommends approval of this application; and

WHEREAS, the York County Board of Supervisors has conducted a duly advertised public hearing on this application; and

WHEREAS, the Board of Supervisors has given careful consideration to the public comments, Planning Commission recommendation, and staff recommendation with respect to this application;

NOW, THEREFORE, BE IT ORDAINED by the York County Board of Supervisors this the ____ day of ____, 2000, that it does hereby approve Application No. ZM-51-00 to amend

the York County Zoning Map by reclassifying 7.5-acres, a total of six (6) parcels, located at 118 Old York Hampton Highway (Route 634), and further identified as Assessor's Parcel No(s). 24-185A, 24-(60)-4, 24-(60)-17, 24-(60)-18, 24-(60)-20, and 24-(60)-21, from IL (Limited Industrial) to GB (General Business), subject to conditions voluntarily proffered by the property owner in the proffer statement entitled "Conditions Voluntarily Proffered for the Reclassification of Property Identified as Tax Maps: 24-185A, 24-60-4, 24-60-17, 24-60-18, 24-60-20, 24-60-21 and dated July 28, 2000 and listed below:

- 1) The property shall not be used for the following land uses:
 - a) Restaurant/Fast Food
 - b) Restaurant/Drive In
 - c) Car Wash
 - d) Automobile Fuel Dispensing Establishment/Service Station
 - e) Neighborhood Shopping Center
 - f) Community or Regional Shopping Center
 - g) Toy Store
 - h) Bait and Tackle Store
 - i) Convenience Store
- 2) In connection with any submission of a final site plan for the property, the applicant agrees to vacate the lot lines among the various lots comprising the property to form one large parcel provided all the following conditions are met:
 - a) The Subdivision Agent of York County deems it necessary for the property owner to vacate such lines; and
 - b) The vacation of such lines will not violate, contradict or contravene the easements, terms, conditions and obligations set forth in that certain Declaration of Covenants, Conditions, and Restrictions for Victory Park Property Owners Association, Inc. dated December 22, 1987 and recorded in the Clerk's Office of the Circuit Court for the County of York in Deed Book 506 at Page 321 (the Declaration) as may have been, or may in the future be, amended pursuant to the terms set forth in the Declaration; and
 - c) The property owner is able to obtain all consents, if any, required by the Declaration to be obtained in connection with the vacation of such lot lines; and
 - d) The vacation of such lot lines is permitted under the Zoning and/or Subdivision Ordinances of the County of York, Virginia.